

Calendar No. 373

110TH CONGRESS
1ST SESSION**S. 817****[Report No. 110–175]**

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 8, 2007

Mr. VOINOVICH (for himself, Mr. KENNEDY, Mr. SPECTER, Mr. KERRY, Mr. CASEY, Mr. BROWN, and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 17, 2007

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Heritage
3 Areas and National Heritage Corridors Technical Correc-
4 tions Act of 2007”.

5 **SEC. 2. BOUNDARIES OF THE RIVERS OF STEEL NATIONAL**
6 **HERITAGE AREA.**

7 Section 403(b) of the Steel Industry American Herit-
8 age Area Act of 1996 (16 U.S.C. 461 note; Public Law
9 104–333) is amended by inserting “Butler,” before “Fay-
10 ette”.

11 **SEC. 3. OHIO & ERIE NATIONAL HERITAGE CANALWAY**
12 **TECHNICAL CORRECTIONS.**

13 The Ohio & Erie Canal National Heritage Corridor
14 Act of 1996 (16 U.S.C. 461 note; Public Law 104–333)
15 is amended—

16 (1) by striking “Canal National Heritage Cor-
17 ridor” each place it appears and inserting “National
18 Heritage Canalway”;

19 (2) in section 803—

20 (A) by striking paragraph (2);

21 (B) by redesignating paragraphs (3), (4),
22 (5), (6), and (7) as paragraphs (2), (3), (4),
23 (5), and (6), respectively;

24 (C) in paragraph (2) (as redesignated by
25 subparagraph (B)), by striking “808” and in-
26 serting “806”; and

1 ~~(D)~~ in paragraph (6) (as redesignated by
 2 subparagraph (B)), by striking “807(a)” and
 3 inserting “805(a)”;

4 ~~(3)~~ in the second sentence of section 804(b)(1),
 5 by striking “808” and inserting “806”;

6 (4) by striking sections 805 and 806;

7 ~~(5)~~ by redesignating sections 807, 808, 809,
 8 810, 811, and 812 as sections 805, 806, 807, 808,
 9 809, and 810, respectively;

10 (6) in section 805(c)(2) (as redesignated by
 11 paragraph (5)), by striking “808” and inserting
 12 “806”;

13 (7) in section 806 (as redesignated by para-
 14 graph (5))—

15 (A) in subsection (a)(1), by striking “Com-
 16 mittee” and inserting “Secretary”;

17 (B) in subsection (a)(3)—

18 (i) in subparagraph (A), by striking
 19 “from the Committee”; and

20 (ii) in the first sentence of subpara-
 21 graph (B), by striking “Committee” and
 22 inserting “management entity”;

23 (C) in subsection (e), by striking
 24 “807(d)(1)” and inserting “805(d)(1)”; and

1 (D) in subsection (f), by striking
 2 “807(d)(1)” and inserting “805(d)(1)”; and
 3 (8) in section 808 (as redesignated by para-
 4 graph (5))—

5 (A) in subsection (b), by striking “Com-
 6 mittee or”; and

7 (B) in subsection (c), in the matter before
 8 paragraph (1), by striking “Committee” and in-
 9 serting “management entity”.

10 **SEC. 4. DELAWARE AND LEHIGH NATIONAL HERITAGE COR-**
 11 **RIDOR LOCAL COORDINATING ENTITY.**

12 The Delaware and Lehigh National Heritage Cor-
 13 ridor Act of 1988 (16 U.S.C. 461 note; Public Law 100-
 14 692) is amended—

15 (1) in section 9, by adding at the end the fol-
 16 lowing:

17 “(e) CORPORATION AS LOCAL MANAGEMENT ENTI-
 18 TY.—Beginning on the date of enactment of this sub-
 19 section, the Corporation shall be the local coordinating en-
 20 tity for the Corridor.

21 “(d) IMPLEMENTATION OF MANAGEMENT PLAN.—
 22 The Corporation shall assume the duties of the Commis-
 23 sion for the implementation of the Plan.

24 “(e) USE OF FUNDS.—The Corporation may use
 25 Federal funds made available under this Act—

1 ~~“(1) to make grants to, and enter into coopera-~~
 2 ~~tive agreements with, the Federal Government, the~~
 3 ~~Commonwealth, political subdivisions of the Com-~~
 4 ~~monwealth, nonprofit organizations, and individuals;~~

5 ~~“(2) to hire, train, and compensate staff; and~~

6 ~~“(3) to enter into contracts for goods and serv-~~
 7 ~~ices.~~

8 ~~“(f) RESTRICTION ON USE OF FUNDS.—The Cor-~~
 9 ~~poration may not use Federal funds made available under~~
 10 ~~this Act to acquire land or an interest in land.”;~~

11 ~~(2) in section 10—~~

12 ~~(A) in the first sentence of subsection (c);~~
 13 ~~by striking “shall assist the Commission” and~~
 14 ~~inserting “shall, on the request of the Corpora-~~
 15 ~~tion, assist”;~~

16 ~~(B) in subsection (d)—~~

17 ~~(i) by striking “Commission” each~~
 18 ~~place it appears and inserting “Corpora-~~
 19 ~~tion”;~~

20 ~~(ii) by striking “The Secretary” and~~
 21 ~~inserting the following:~~

22 ~~“(1) IN GENERAL.—The Secretary”; and~~

23 ~~(iii) by adding at the end the fol-~~
 24 ~~lowing:~~

1 ~~“(2) COOPERATIVE AGREEMENTS.—~~The Sec-
 2 retary may enter into cooperative agreements with
 3 the Corporation and other public or private entities
 4 for the purpose of providing technical assistance and
 5 grants under paragraph (1).

6 ~~“(3) PRIORITY.—~~In providing assistance to the
 7 Corporation under paragraph (1), the Secretary
 8 shall give priority to activities that assist in—

9 ~~“(A) conserving the significant natural,~~
 10 historic, cultural, and scenic resources of the
 11 Corridor; and

12 ~~“(B) providing educational, interpretive,~~
 13 and recreational opportunities consistent with
 14 the purposes of the Corridor.”; and

15 ~~(C) by adding at the end the following:~~

16 ~~“(e) TRANSITION MEMORANDUM OF UNDER-~~
 17 STANDING.—The Secretary shall enter into a memo-
 18 randum of understanding with the Corporation to en-
 19 sure—

20 ~~“(1) appropriate transition of the local manage-~~
 21 ment to the Corporation; and

22 ~~“(2) coordination with the Corporation regard-~~
 23 ing the implementation of the Plan.”;

24 ~~(3) in section 12—~~

1 (A) in subsection (a), by striking “Com-
 2 mission” each place it appears and inserting
 3 “Corporation”;

4 (B) in subsection (c)(1), by striking
 5 “2007” and inserting “2012”; and

6 (C) by adding at the end the following:

7 “(d) TERMINATION OF ASSISTANCE.—The authority
 8 of the Secretary to provide assistance under this Act ter-
 9 minates on the date that is 5 years after the date of enact-
 10 ment of this subsection.”; and

11 (4) in section 14—

12 (A) by redesignating paragraphs (4), (5),
 13 and (6) as paragraphs (5), (6), and (7), respec-
 14 tively; and

15 (B) by inserting after paragraph (3) the
 16 following:

17 “(4) the term ‘Corporation’ means the Dela-
 18 ware & Lehigh National Heritage Corridor, Incor-
 19 porated, an organization described in section
 20 501(c)(3), and exempt from Federal tax under sec-
 21 tion 501(a), of the Internal Revenue Code of 1986.”.

1 **SEC. 5. ADDITIONAL AUTHORIZATION OF APPROPRIATIONS**
 2 **FOR CERTAIN NATIONAL HERITAGE AREAS**
 3 **AND NATIONAL HERITAGE CORRIDORS.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Division
 5 H of the Omnibus Parks and Public Lands Management
 6 Act of 1996 (Public Law 104–333; 110 Stat. 4243) is
 7 amended in sections 409(a), 508(a), 608(a), and 810(a)
 8 (as redesignated by section (3)(a)(5)), by striking
 9 “\$10,000,000” each place it appears and inserting
 10 “\$15,000,000”.

11 (b) EVALUATIONS.—

12 (1) IN GENERAL.—Not later than 3 years be-
 13 fore the date on which authority for Federal funding
 14 terminates for each of the Ohio & Erie Canal Na-
 15 tional Heritage Corridor, the Rivers Of Steel Na-
 16 tional Heritage Area, the Essex National Heritage
 17 Area, and the South Carolina National Heritage
 18 Corridor, the Secretary of the Interior shall conduct
 19 an evaluation of, and prepare a report on, the ac-
 20 complishments of the applicable national heritage
 21 area.

22 (2) COMPONENTS.—An evaluation prepared
 23 under paragraph (1) shall—

24 (A) assess the progress of the management
 25 entity with respect to—

1 (i) accomplishing the purposes of the
2 authorizing legislation for the national her-
3 itage area; and

4 (ii) achieving the goals and objectives
5 of the approved management plan or herit-
6 age plan for the national heritage area;

7 (B) analyze the Federal, State, local, and
8 private investments in the national heritage
9 area to determine the leverage and impact of
10 the investments;

11 (C) review the management structure,
12 partnership relationships, and funding of the
13 national heritage area for purposes of identi-
14 fying the critical components for the sustain-
15 ability of the national heritage area; and

16 (D) recommend what the role, if any, of
17 the National Park Service should be with re-
18 spect to the national heritage area.

19 (3) REQUIRED ANALYSIS.—If a report prepared
20 under paragraph (1) recommends that Federal fund-
21 ing for the national heritage area be reauthorized,
22 the report shall include an analysis of—

23 (A) ways in which Federal funding for the
24 national heritage area may be reduced or elimi-
25 nated; and

1 ~~(B)~~ the appropriate time period necessary
 2 to achieve the recommended reduction or elimi-
 3 nation.

4 ~~(4)~~ SUBMISSION TO CONGRESS.—On completion
 5 of a report under this subsection, the Secretary of
 6 the Interior shall submit the report to—

7 ~~(A)~~ the Committee on Energy and Natural
 8 Resources of the Senate; and

9 ~~(B)~~ the Committee on Natural Resources
 10 of the House of Representatives.

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “National Heritage Areas*
 13 *and National Heritage Corridors Technical Corrections Act*
 14 *of 2007”.*

15 **SEC. 2. BOUNDARIES OF THE RIVERS OF STEEL NATIONAL**
 16 **HERITAGE AREA.**

17 *Section 403(b) of the Steel Industry American Herit-*
 18 *age Area Act of 1996 (16 U.S.C. 461 note; Public Law 104–*
 19 *333) is amended by inserting “Butler,” before “Fayette”.*

20 **SEC. 3. OHIO & ERIE NATIONAL HERITAGE CANALWAY**
 21 **TECHNICAL CORRECTIONS.**

22 *The Ohio & Erie Canal National Heritage Corridor*
 23 *Act of 1996 (16 U.S.C. 461 note; Public Law 104–333) is*
 24 *amended—*

(1) *by striking “Canal National Heritage Corridor” each place it appears and inserting “National Heritage Canalway”;*

(2) *by striking “the corridor” each place it appears and inserting “the Canalway”;*

(3) *in section 803—*

(A) *in paragraph (1), by striking “The term ‘corridor’” and inserting “The term ‘Canalway’” ;*

(B) *by striking paragraph (2);*

(C) *by redesignating paragraphs (3), (4), (5), (6), and (7) as paragraphs (2), (3), (4), (5), and (6), respectively;*

(D) *in paragraph (2) (as redesignated by subparagraph (C)), by striking “808” and inserting “806”; and*

(E) *in paragraph (6) (as redesignated by subparagraph (C)), by striking “807(a)” and inserting “805(a)”;*

(4) *in section 804—*

(A) *in the second sentence of subsection (b)(1), by striking “808” and inserting “806”; and*

(B) *in subsection (c), by striking “The corridor” and inserting “The Canalway”;*

1 (5) *by striking sections 805 and 806;*

2 (6) *by redesignating sections 807, 808, 809, 810,*
3 *811, and 812 as sections 805, 806, 807, 808, 809, and*
4 *810, respectively;*

5 (7) *in section 805(c)(2) (as redesignated by*
6 *paragraph (6)), by striking “808” and inserting*
7 *“806”;*

8 (8) *in section 806 (as redesignated by paragraph*
9 *(6))—*

10 (A) *in subsection (a)(1)—*

11 (i) *in the heading, by striking “COM-*
12 *MITTEE” and inserting “SECRETARY”; and*

13 (ii) *by striking “Committee” and in-*
14 *serting “Secretary”;*

15 (B) *in subsection (a)(3)—*

16 (i) *in subparagraph (A), by striking*
17 *“from the Committee.” and inserting a*
18 *comma; and*

19 (ii) *in the first sentence of subpara-*
20 *graph (B), by striking “Committee” and in-*
21 *serting “management entity”;*

22 (C) *in subsection (e), by striking*
23 *“807(d)(1)” and inserting “805(d)(1)”;* *and*

24 (D) *in subsection (f), by striking*
25 *“807(d)(1)” and inserting “805(d)(1)”;*

1 (9) in section 807(c) (as redesignated by para-
 2 graph (6)), by striking “Cuyahoga Valley National
 3 Recreation Area” and inserting “Cuyahoga Valley
 4 National Park”;

5 (10) in section 808 (as redesignated by para-
 6 graph (6))—

7 (A) in subsection (b), by striking “Com-
 8 mittee or”; and

9 (B) in subsection (c), in the matter before
 10 paragraph (1), by striking “Committee” and in-
 11 serting “management entity”; and

12 (11) in section 809 (as redesignated by para-
 13 graph (6)), by inserting “financial” before “assist-
 14 ance”.

15 **SEC. 4. DELAWARE AND LEHIGH NATIONAL HERITAGE COR-**
 16 **RIDOR LOCAL COORDINATING ENTITY.**

17 *The Delaware and Lehigh National Heritage Corridor*
 18 *Act of 1988 (16 U.S.C. 461 note; Public Law 100–692) is*
 19 *amended—*

20 (1) in section 9—

21 (A) by striking “The Commission” and in-
 22 serting the following:

23 “(a) *IN GENERAL.*—The Commission”; and

24 (B) by adding at the end the following:

1 “(b) *CORPORATION AS LOCAL COORDINATING ENTI-*
 2 *TY.—Beginning on the date of enactment of the National*
 3 *Heritage Areas and National Heritage Corridors Technical*
 4 *Corrections Act of 2007, the Corporation shall be the local*
 5 *coordinating entity for the Corridor.*

6 “(c) *IMPLEMENTATION OF MANAGEMENT PLAN.—The*
 7 *Corporation shall assume the duties of the Commission for*
 8 *the implementation of the Plan.*

9 “(d) *USE OF FUNDS.—The Corporation may use Fed-*
 10 *eral funds made available under this Act—*

11 “(1) *to make grants to, and enter into coopera-*
 12 *tive agreements with, the Federal Government, the*
 13 *Commonwealth, political subdivisions of the Common-*
 14 *wealth, nonprofit organizations, and individuals;*

15 “(2) *to hire, train, and compensate staff; and*

16 “(3) *to enter into contracts for goods and serv-*
 17 *ices.*

18 “(e) *RESTRICTION ON USE OF FUNDS.—The Corpora-*
 19 *tion may not use Federal funds made available under this*
 20 *Act to acquire land or an interest in land.”;*

21 (2) *in section 10—*

22 (A) *in the first sentence of subsection (c), by*
 23 *striking “shall assist the Commission” and in-*
 24 *serting “shall, on the request of the Corporation,*
 25 *assist”;*

1 (B) in subsection (d)—

2 (i) by striking “Commission” each
3 place it appears and inserting “Corpora-
4 tion”;

5 (ii) by striking “The Secretary” and
6 inserting the following:

7 “(1) *IN GENERAL.*—The Secretary”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(2) *COOPERATIVE AGREEMENTS.*—The Sec-
11 retary may enter into cooperative agreements with the
12 Corporation and other public or private entities for
13 the purpose of providing technical assistance and
14 grants under paragraph (1).

15 “(3) *PRIORITY.*—In providing assistance to the
16 Corporation under paragraph (1), the Secretary shall
17 give priority to activities that assist in—

18 “(A) conserving the significant natural, his-
19 toric, cultural, and scenic resources of the Cor-
20 ridor; and

21 “(B) providing educational, interpretive,
22 and recreational opportunities consistent with
23 the purposes of the Corridor.”; and

24 (C) by adding at the end the following:

1 “(e) *TRANSITION MEMORANDUM OF UNDER-*
 2 *STANDING.—The Secretary shall enter into a memorandum*
 3 *of understanding with the Corporation to ensure—*

4 “(1) *appropriate transition of management of*
 5 *the Corridor from the Commission to the Corporation;*
 6 *and*

7 “(2) *coordination regarding the implementation*
 8 *of the Plan.”;*

9 “(3) *in section 11, in the matter preceding para-*
 10 *graph (1), by striking “directly affecting”;*

11 “(4) *in section 12—*

12 “(A) *in subsection (a), by striking “Commis-*
 13 *sion” each place it appears and inserting “Cor-*
 14 *poration”;*

15 “(B) *in subsection (c)(1), by striking “2007”*
 16 *and inserting “2012”; and*

17 “(C) *by adding at the end the following:*

18 “(d) *TERMINATION OF ASSISTANCE.—The authority of*
 19 *the Secretary to provide financial assistance under this Act*
 20 *terminates on the date that is 5 years after the date of en-*
 21 *actment of this subsection.”; and*

22 “(5) *in section 14—*

23 “(A) *by redesignating paragraphs (4), (5),*
 24 *and (6) as paragraphs (5), (6), and (7), respec-*
 25 *tively; and*

1 (B) by inserting after paragraph (3) the fol-
 2 lowing:

3 “(4) the term ‘Corporation’ means the Delaware
 4 & Lehigh National Heritage Corridor, Incorporated,
 5 an organization described in section 501(c)(3), and
 6 exempt from Federal tax under section 501(a), of the
 7 Internal Revenue Code of 1986;”.

8 **SEC. 5. ADDITIONAL AUTHORIZATION OF APPROPRIATIONS**
 9 **FOR CERTAIN NATIONAL HERITAGE AREAS**
 10 **AND NATIONAL HERITAGE CORRIDORS.**

11 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Division*
 12 *II of the Omnibus Parks and Public Lands Management*
 13 *Act of 1996 (Public Law 104–333; 110 Stat. 4243) is*
 14 *amended in sections 409(a), 508(a), 608(a), and 810(a) (as*
 15 *redesignated by section (3)(a)(5)), by striking*
 16 *“\$10,000,000” each place it appears and inserting*
 17 *“\$15,000,000”.*

18 (b) *EVALUATIONS.*—

19 (1) *IN GENERAL.*—*Not later than 3 years before*
 20 *the date on which authority for Federal funding ter-*
 21 *minates for each of the Ohio & Erie Canal National*
 22 *Heritage Corridor, the Rivers Of Steel National Her-*
 23 *itage Area, the Essex National Heritage Area, and the*
 24 *South Carolina National Heritage Corridor, the Sec-*
 25 *retary of the Interior shall conduct an evaluation of,*

1 *and prepare a report on, the accomplishments of the*
2 *applicable national heritage area.*

3 (2) *COMPONENTS.—An evaluation prepared*
4 *under paragraph (1) shall—*

5 (A) *assess the progress of the management*
6 *entity with respect to—*

7 (i) *accomplishing the purposes of the*
8 *authorizing legislation for the national her-*
9 *itage area; and*

10 (ii) *achieving the goals and objectives*
11 *of the approved management plan or herit-*
12 *age plan for the national heritage area;*

13 (B) *analyze the Federal, State, local, and*
14 *private investments in the national heritage area*
15 *to determine the leverage and impact of the in-*
16 *vestments; and*

17 (C) *review the management structure, part-*
18 *nership relationships, and funding of the na-*
19 *tional heritage area for purposes of identifying*
20 *the critical components for the sustainability of*
21 *the national heritage area.*

22 (3) *RECOMMENDATIONS.—*

23 (A) *IN GENERAL.—Based on the evaluation*
24 *conducted under paragraph (1), the Secretary*
25 *shall include in the report recommendations for*

1 *what role, if any, the National Park Service*
 2 *should have with respect to the national heritage*
 3 *area.*

4 *(B) REQUIRED ANALYSIS.—If the Secretary*
 5 *recommends in the report that Federal funding*
 6 *for national heritage area be reauthorized, the*
 7 *report shall include an analysis of—*

8 *(i) ways in which Federal funding for*
 9 *the national heritage area may be reduced*
 10 *or eliminated; and*

11 *(ii) the appropriate time period nec-*
 12 *essary to achieve the recommended reduc-*
 13 *tion or elimination.*

14 *(4) SUBMISSION TO CONGRESS.—On completion*
 15 *of a report under this subsection, the Secretary of the*
 16 *Interior shall submit the report to—*

17 *(A) the Committee on Energy and Natural*
 18 *Resources of the Senate; and*

19 *(B) the Committee on Natural Resources of*
 20 *the House of Representatives.*

21 **SEC. 6. NATIONAL COAL HERITAGE AREA TECHNICAL COR-**
 22 **RECTIONS.**

23 *(a) IN GENERAL.—The National Coal Heritage Area*
 24 *Act of 1996 (16 U.S.C. 461 note; Public Law 104–333) is*
 25 *amended—*

1 (1) *in section 103(b)—*

2 (A) *by striking “shall be shall be com-*
3 *prised” and inserting “shall be comprised”; and*

4 (B) *by striking “counties; and” and insert-*
5 *ing “counties”;*

6 (2) *in section 105—*

7 (A) *in the first sentence—*

8 (i) *by striking “The resources” and in-*
9 *serting the following:*

10 “(a) *IN GENERAL.—The resources*”;

11 (ii) *by striking “paragraph (2) of”;*

12 *and*

13 (iii) *by striking “include those set forth*
14 *in” and inserting “include—*

15 “(1) *resources in Lincoln County, West Virginia,*
16 *and Paint Creek and Cabin Creek in Kanawha Coun-*
17 *ty, West Virginia, as determined to be appropriate by*
18 *the National Coal Heritage Area Authority; and*

19 “(2) *resources described in*”; *and*

20 (B) *in the second sentence, by striking “Pri-*
21 *ority consideration” and inserting the following:*

22 “(b) *PRIORITY.—Priority consideration*”; *and*

23 (3) *in section 106—*

24 (A) *in subsection (a)—*

1 (i) in the matter preceding paragraph
 2 (1), by striking “Governor” and all that fol-
 3 lows through “Parks,” and inserting “Na-
 4 tional Coal Heritage Area Authority”; and
 5 (ii) in paragraph (3), by striking
 6 “State of West Virginia” and all that fol-
 7 lows through “entities, or” and inserting
 8 “National Coal Heritage Area Authority
 9 or”; and
 10 (B) in subsection (b), by inserting “not” be-
 11 fore “meet”.

12 (b) CONTINUATION OF AGREEMENT.—The contractual
 13 agreement entered into under section 104 of the National
 14 Coal Heritage Area Act of 1996 (16 U.S.C. 461 note; Public
 15 Law 104–333), as in effect on the day before the date of
 16 enactment of this Act, shall continue to be in effect, except
 17 that the contractual agreement shall be between the Sec-
 18 retary of the Interior and the National Coal Heritage Area
 19 Authority rather than the Secretary of the Interior and the
 20 Governor of West Virginia.

Calendar No. 373

110TH CONGRESS
1ST Session

S. 817

[Report No. 110-175]

A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, and for other purposes.

SEPTEMBER 17, 2007

Reported with an amendment